

Application Serial No. 09/768398
Examiner: K. McDermott
Art Unit: 3635

PATENT
M&G No. 09538.0021US01

Remarks

Reconsideration is respectfully requested in view of the above amendments and following remarks. Revisions of claim 1 are supported, for instance, on page 6, lines 23-29, page 7, lines 1-7 and in the drawings. Claim 24 has been added and corresponds to the subject matter of original claims 1 and allowable claim 11. Claims 14 and 18-23 have been canceled without prejudice or disclaimer. Claims 1-17 have been examined. Claim 11 is considered allowable. No new matter has been added. Claims 1-13, 15-17 and 24 are pending.

The drawings are objected to for not showing every feature of the invention recited in the claims. Applicants have canceled claim 14, which recites the sheath feature. Accordingly, Applicants respectfully submit that the drawings illustrate every feature of the invention specified in the claims.

Withdrawal of the objection is respectfully requested.

Claim 14 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter, which was not described in the specification. Applicants respectfully traverse this rejection to the extent it is maintained, and respectfully request reconsideration in view of the following comments.

The rejection is rendered moot, as claim 14 has been canceled, which recites the sheath feature.

Withdrawal of the rejection is respectfully requested.

Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Applicants respectfully traverse this rejection to the extent it is maintained, and respectfully request reconsideration in view of the following comments.

Claim 1 has been amended to delete the language "itself". Accordingly, Applicants respectfully submit that claim 1, as amended, is definite.

Withdrawal of the rejection is respectfully requested.

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Claims 1, 2, 3, 6, 12, 13 and 15-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Fingerson et al. (U.S. Patent No. 5,605,017). Applicants respectfully traverse this rejection, and respectfully request reconsideration in view of the following comments.

Claim 1 recites a utility line support member including a hollow reinforcing member placed in an interior of the beam to coincide with a transverse hole. The reinforcing member includes a first surface defining an inner diameter that is approximately the same as a diameter of the transverse hole and a second surface defining an outer diameter that is greater than said transverse hole diameter, where both the first and second surfaces are disposed within the beam.

Fingerson et al. discloses a hollow pultruded beam 20 having transverse holes 22 extending therethrough. Bushings 30 are inserted in the transverse holes 22, and include a hollow inner member 32 and integral washers arranged on opposite ends of the inner member 32. The bushings provide structural support to prevent compression damage to the beam 20. The bushings 30 define an inner diameter being the diameter of the inner member and are disposed within the transverse hole 22, and the bushings 30 define an outer diameter being the outer perimeter of the integral washers 34 and are disposed outside of the transverse hole 22.

However, Fingerson et al. does not teach or suggest the present invention as recited in claim 1. Particularly, Fingerson et al. does not disclose a reinforcing member with first and second surfaces defining the respective inner and outer diameters, where the first and second surfaces are disposed within the beam. In fact, Fingerson et al. provides bushings 30 where only the inner diameter corresponds to the diameter of the inner member 32, which is disposed within the transverse hole 22. However, the outer perimeter of the integral washers 34 is disposed outside of the beam 20. For at least these reasons, Fingerson et al. does not disclose the features of claim 1.

Moreover, the present invention provides a utility line support member having an improved hollow reinforcing member structure. The present invention essentially provides a hollow tubular insert that is fully enclosed within the beam to prevent compression damage when mounting bolts are being attached and torqued, and to provide a water tight seal (page 7, lines 29 to page 8, line 3 and in the drawings). Further in Fingerson et al., large holes are drilled through the beam wall to accept the molded bushings 30 and seal the external molded flange washers 34, thereby removing more material from the beam 20. In contrast, the present invention provides a

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hollow reinforcing member that better supports the edges of the transverse hole and is fully enclosed within the beam.

As Fingerson et al. does not teach or suggest the features required by claim 1, the cited reference would not reasonably derive the advantages enjoyed by the structure of the claimed invention. Therefore, it is respectfully submitted that claim 1 is patentable over Fingerson et al. Further, claims 2-13 and 15-17 depend upon and further limit claim 1. Accordingly, it is respectfully submitted that these claims also are patentable over Fingerson et al. for at least the same reasons with respect to claim 1.

Favorable consideration and withdrawal of the rejection are respectfully requested.

Claims 3, 4, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fingerson et al. (above). Applicants respectfully traverse this rejection, and respectfully request reconsideration in view of the following comments.

Fingerson et al. has been discussed above with respect to claim 1. Claims 3, 4 and 10 depend upon and further limit claim 1. Therefore, it is respectfully submitted that claims 3, 4 and 10 also are patentable over Fingerson et al. for at least the above reasons specified with respect to claim 1.

Withdrawal of the rejection is respectfully requested.

Claims 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fingerson et al. (above) in view of Hawley's Condensed Chemical Dictionary, Thirteenth Edition, page 888, 18-20th lines from the bottom (hereinafter Hawley's Dictionary). Applicants respectfully traverse this rejection, and respectfully request reconsideration in view of the following comments.

Fingerson et al. has been discussed above. Hawley's Dictionary discusses plastics can also be reinforced, usually with glass or metallic fibers, for added strength. However, Hawley's Dictionary does not disclose what is missing from Fingerson et al. Hawley's Dictionary does not teach or suggest the structure of the hollow reinforcing member as required in amended claim 1. Hawley's Dictionary does not remedy the deficiencies of Fingerson et al. Therefore, Fingerson et al. and Hawley's Dictionary, either alone or in combination, do not derive the features of claim 1. Claims 7-9 depend upon and further limit claim 1. Accordingly, it is respectfully

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submitted that these claims are patentable over Fingerson et al. and Hawley's Dictionary for at least the same reasons with respect to claim 1.

Withdrawal of the rejection is respectfully requested.

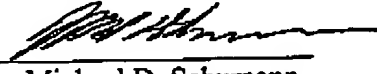
With the above amendments and remarks, Applicants believe that the claims pending in this patent application are in a condition for allowance. Favorable consideration is respectfully requested. If any further questions arise, the Examiner is invited to contact Applicants' representative at the number listed below.

Respectfully Submitted,

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